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General and complete disarmament: assistance to States for curbing the illicit traffic in small arms and collecting them

Assistance to States for curbing the illicit traffic in small arms and collecting them

Report of the Secretary-General

I. Introduction

1. By its resolution 53/77 B of 4 December 1998, the General Assembly requested the Secretary-General to continue to examine the issue of assistance to States for curbing the illicit traffic in small arms and collecting them. By the same resolution, the Assembly encouraged the Secretary-General to continue his efforts, in the context of the implementation of Assembly resolution 49/75 G of 15 December 1994 and of the recommendations of the United Nations advisory missions, to curb the illicit circulation of small arms and to collect such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity. The Assembly also requested the Secretary-General to submit a report to the Assembly at its fifty-fourth session on the implementation of the resolution.

2. The present report is submitted pursuant to the above-mentioned request. It takes into account a number of initiatives taken at the subregional, regional and international levels to address the issue of the illicit traffic in small arms, some of which were highlighted in the report of the Secretary-General to the General Assembly at its fifty-third session (A/53/207) and in his more recent report on the work of the Group of Governmental Experts on Small Arms (A/54/258).

II. Further developments

A. United Nations

1. Disarmament Commission

3. At the conclusion of its annual substantive session in April 1999, the Disarmament Commission adopted by consensus the report of its Working Group III on guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N.[1] In that report, it was concluded that the excessive accumulation of small arms and light weapons could best be averted by a combination of reduction and prevention measures. In the case of both sets of measures, the international community was encouraged to provide assistance in support of national and regional actions and to foster coordination between such actions.

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4. According to the conclusions contained in the report, regional and international financial, technical and technological assistance in rebuilding infrastructure and administrative capacity and civil society, and in economic rehabilitation for the implementation of practical disarmament measures, should include the early involvement of international financial institutions. This should also include assistance for national and local measures for the collection, control, disposal and/or destruction of arms, demobilization and reintegration of former combatants, as well as assistance for public education and awareness programmes which would contribute to the promotion of peace and build resistance to the unlawful uses of small arms. It was noted in the report that States that are in a position to do so should lend their support to the Secretary-General in responding to requests by Member States to collect and destroy small arms and light weapons in post-conflict situations as well as to promote new practical disarmament measures to consolidate peace, especially as undertaken and designed by affected States themselves.

5. It was stated in the report that the Secretary-General, in recognition of the important contribution of programmes for voluntary weapons collection and/or destruction, could be invited to consider, on a case-by-case basis, means to facilitate the successful conduct of such programmes. At the request of the States concerned, the United Nations could provide coordination and assistance, including in seeking regional and international financial and technical support, for the development of programmes to promote and implement disarmament and arms control/limitation measures in the context of the consolidation of peace. It was noted that the United Nations should continue to play a leading role in addressing the issue of small arms.

2. Security Council

6. In July 1999, the President of the Security Council issued a statement on behalf of the Council on the matter of disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment (S/PRST/1999/21). The President expressed the Council's serious concern that armed fighting among various parties or factions continued despite the conclusion of peace agreements by the warring parties and the presence of United Nations peacekeeping missions on the ground. The Council recognized that a major contributory factor to such a situation had been the continued availability of large amounts of armaments, in particular small arms and light weapons, to conflicting parties. The Council stressed the need for the inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition. The Council stressed that there must be political will and a clear commitment by the parties concerned to achieve peace and stability and that such a commitment should be reinforced by political will and consistent, effective and determined support from the international community to guarantee the achievement of sustainable peace, including through its contributions of long-term assistance for development and trade.

3. Advisory Board on Disarmament Matters

7. During its first session held in January 1999, the Advisory Board on Disarmament Matters considered the question of small arms in the African context and focused attention on the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, declared by the States members of the Economic Community of West African States (ECOWAS) on 31 October 1998 (A/53/763-S/1998/1194, annex). The support of the international community and the United Nations (especially the United Nations Regional Centre for Peace and Disarmament in Africa) was considered important for the success of the ECOWAS Moratorium and its possible further extensions.

8. The Advisory Board called for greater emphasis on the supply side of weapons transfers. It was suggested that additional studies be undertaken within the United Nations system on the subject and that the suppliers of small arms be encouraged to pay more attention in cases where the recipients were exercising some form of control over the weapons they received. Support was expressed for arrangements on joint customs cooperation, joint surveillance of border traffic and information and data sharing. Further, the "security-first" approach was recognized as a useful conceptual contribution to African security.

4. Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime

9. By its resolution 53/111 of 9 December 1998, the General Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and three supplemental international legal instruments, or protocols, on: (a) illegal transport and trafficking in migrants; (b) illicit

manufacturing of and trafficking in firearms, their parts and components and ammunition; and (c) trafficking in women and children. The Ad Hoc Committee expects to complete its work in 2000.

10. The Ad Hoc Committee is considering the text of a draft protocol against the illicit manufacturing of and trafficking in firearms, ammunition and other related materials, submitted by Canada during the first session and subsequently amended and adopted as the working draft of the Chairman. One of the proposed articles being considered in the draft protocol deals with technical assistance. This proposal would call upon States to cooperate with each other and with relevant international organizations, as appropriate, so that States parties may receive, upon request, the technical assistance necessary to enhance their ability to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, ammunition and other related materials (A/AC.254/4/Add.2/Rev.1, article XVIII).

5. United Nations trust funds for assistance to States

11. On the basis of discussions among Germany, in its capacity as the Chairman of the Group of Interested States on practical disarmament measures,[2] and a number of other members of the Group, the Trust Fund for the Consolidation of Peace through Practical Disarmament Measures, was established by the Secretary-General in August 1998. Among the objectives of the Fund, which is administered by the Department for Disarmament Affairs, are the provision of support for the retrieval, storage and safeguarding of weapons belonging to demobilized personnel and for the destruction of ammunition and weapons buy-back programmes, as well as the promotion of an exchange of national and subregional experience in the collection, control and disposal of arms, especially small arms and light weapons and the reintegration of former combatants into civil society at the end of armed conflicts.[3]

12. In a related initiative, the United Nations Development Programme (UNDP) Trust Fund for Support to Prevention and Reduction of the Proliferation of Small Arms was established in late November 1998 pursuant to an initiative of the Government of Norway. The Trust Fund provides support for projects and programmes on practical disarmament and related development issues, including assistance to strengthen national, regional and international capacities, cooperation and legislation on control mechanisms concerning small arms and light weapons, support for weapons collection and destruction programmes in general, and related measures for disarmament, demobilization and reintegration of ex-combatants.

6. United Nations Institute for Disarmament Research

13. The United Nations Institute for Disarmament Research (UNIDIR) has initiated a project that is designed to support the ECOWAS Moratorium by developing a network of civil society researchers and organizations throughout West Africa which would: study the issue of national security and reform of the security sector in their respective countries; initiate and participate in a continuing national and regional debate on ways to improve the security situation and to stop the proliferation of small arms and light weapons; and inform the populations of West African countries of the Moratorium and other peace-building mechanisms.

14. The Institute has begun implementing the above-mentioned project in Sierra Leone and Liberia. In late 1998, UNIDIR began a series of seminars in Sierra Leone and identified a number of potential research partners. In the aftermath of the fighting that broke out early in 1999, the Institute sought to re-establish those networks and to begin commissioning research activities in Sierra Leone and Liberia. The project will focus on developing the capacities within the civil society that will allow it to take part in the close monitoring of the implementation of the Moratorium. Such capacities will ultimately be conducive to the emergence of a culture of peace that should further strengthen the Moratorium. Ultimately, the UNIDIR project is aimed at establishing indigenous research capacities within West African civil society whose participation is indispensable for the successful implementation of the Moratorium. Moreover, the project will draw attention to the relationship between the growing number of transfers of small arms and light weapons within the West African subregion and the impact of such transfers on national and regional security, and the implications for good governance and reform of the security sector.

B. Requests for United Nations assistance to curb the illicit circulation of small arms and to collect such arms in the affected States

15. In 1997, the report of the Secretary-General on small arms (A/52/298) set forth a number of prevention and reduction measures to curb the excessive and destabilizing

accumulation and transfer of small arms. One such measure, which was noted with particular interest in General Assembly resolution 53/77 B, recommended that all small arms which were not under legal civilian possession, and which were not required for the purposes of national defence and internal security, should be collected and destroyed by States as expeditiously as possible. The information set out below is relevant in this context.

1. Albania

16. The collection process of the Gramsh pilot project was officially launched on 26 January 1999. The project, conceived by the Department for Disarmament Affairs and administered by UNDP, encourages the voluntary surrender of weapons by offering labour-intensive, income-generating community development activities in exchange for weapons. The project comprises three aspects: disarmament, development and advocacy and public awareness. When the project was put on hold in April 1999 owing to the Kosovo crisis, several development projects, chosen by the community of Gramsh, has been selected for implementation. The Gramsh pilot project was reactivated in June 1999, and some 60 tonnes of ammunition and 2,700 small arms have been collected. Various development projects are under way, including a radio telephone system for the Gramsh district, the reconstruction of the post offices in the Gramsh commune, a street lighting system for Gramsh town, and road rehabilitation for the communes of Tunje and Kodovjat. The Government of Albania has requested UNDP to undertake similar projects in other areas of the country.

2. Bolivia

17. At a meeting of the Group of Interested States on practical disarmament measures held in May 1999, the Government of Bolivia presented a proposal for a programme on conflict prevention, negotiation and resolution within the framework of its strategy for the fight against drugs. Entitled "With dignity", one of the goals of this five-year anti-drug programme is the implementation of a rigorous interdiction scheme vis-à-vis the country's illegal coca-leaf production, including the detection and elimination of small arms. Bolivia has proposed a fact-finding mission to recommend ways to implement the Government's strategy.

18. After subsequent consultation with the Department of Disarmament Affairs, the Government has been requested to prepare a project proposal with a clear disarmament dimension, in cooperation with the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean. The proposal, which would outline the scope and strategies for weapons retrieval from the paramilitary groups and armed drug producers, will be further elaborated for possible consideration by the Group of Interested States.

3. Liberia

19. The Monitoring Group (ECOMOG) of ECOWAS maintained custody over the weapons which had been collected by ECOMOG and verified by the United Nations Observer Mission in Liberia (UNOMIL) during the disarmament exercise of 1996–1997. The arms — some 31,000 weapons and over two million pieces of ammunition — had been kept in a number of containers in Monrovia with UNOMIL and ECOMOG in control of the keys. After the turnover of keys by UNOMIL to the United Nations Office in Liberia, a small United Nations team of technical experts was dispatched to Liberia to assess the serviceability of the weapons in order to determine those that were unserviceable and could be destroyed with the agreement of all three parties, namely, ECOWAS, the United Nations and the Government of Liberia. In June 1999, the Government of Liberia announced that it would dispose of all of the weapons. It invited ECOWAS and the United Nations to provide expertise and advice on the appropriate method and financing of the destruction. On 26 July 1999, the anniversary of the independence of Liberia, some 1,500 small arms were burned publicly before representatives of the concerned parties, the public and media. As at August 1999, 18,420 small arms, 2,870,910 rounds of ammunition and 606 heavy machine-guns have been destroyed.

4. Niger

20. In June 1998, the Government of the Niger transmitted a communication to the Department for Disarmament Affairs from its National Commission for the Collection and Control of Illicit Arms, in which it referred to General Assembly resolution 51/45 L of 10 December 1996, whereby the Assembly had encouraged countries of the Saharo-Sahelian subregion to establish national commissions against the proliferation of small arms. The National Commission, established in 1994, had developed a programme for weapons collection in the Niger and required technical and logistical support, as well as financial assistance, to implement that programme.

21. In September 1998, the Government transmitted a note verbale to the Department outlining the progress achieved by the National Commission in the collection of arms. The development of a project in collaboration with the Group of

Interested States was delayed owing to political developments in the Niger. Consultations were resumed in June 1999, with the Government submitting a project proposal for the collection of small arms. A revised project proposal was submitted in August 1999, in which the collection of 5,000 weapons over an initial period of nine months is envisaged. the proposal will be further elaborated for possible consideration by the Group of Interested States.

C. Subregional and regional initiatives

1. Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa

22. At the meeting of ECOWAS Ministers of Foreign Affairs on the modalities for the implementation of the Programme for Coordination and Assistance for Security and Development, convened at Bamako, in late March 1999, the Ministers adopted a plan of action for the implementation of the Programme, and considered a code of conduct for the implementation of the ECOWAS Moratorium under the Programme. They agreed that the plan of action should be formulated in a manner that would permit the effective implementation of nine priority areas of activity: development of a culture of peace; training of the military, security and police forces; enhancement of weapons controls at border posts; establishment of a database and a regional arms register; collection and destruction of surplus and unauthorized weapons; facilitation of dialogue with producers and suppliers; review and harmonization of national legislation and administrative procedures; mobilization of resources for the objectives and activities of the Programme for Coordination and Assistance for Security and Development; and extending the Moratorium to other countries. The Ministers decided to instruct the ECOWAS Executive Secretary to formally notify the Security Council and the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies of the entry into force of the Moratorium and of the categories of weapons covered by it. The Ministers also decided to initiate a dialogue with arms producers that are not members of the Wassenaar Arrangement, with a view to promoting respect for the Moratorium.

2. Organization of African Unity

23. The Council of Ministers of the Organization of African Unity (OAU), at its sixty-eighth ordinary session, held at Ouagadougou in June 1998, adopted a decision on the proliferation of small arms and light weapons (A/53/179, annex I, CM/DEC.432 (LXVIII)), by which it urged the Secretary-General of OAU to gather from member States the fullest possible information on the scope of proliferation of small arms and steps taken to deal with the problem, and requested him to monitor developments and submit a comprehensive report thereon to the Council of Ministers. At its sixty-ninth ordinary session, held at Algiers in July 1999, the Council of Ministers of OAU urged the Secretary-General of OAU to further seek the views of member States on the illicit trafficking, circulation and proliferation of small arms and light weapons and, in particular, to seek their views on action to be undertaken. By that decision, the Council of Ministers appealed to the international community to render to the affected African countries all necessary assistance to enable them to implement programmes that would deal effectively with the problems associated with the proliferation of small arms and light weapons. The Council requested the OAU secretariat to organize a preparatory conference of continental experts on the matter, prior to the convening of the United Nations international conference on the illicit arms trade in all its aspects, and to seek the support of relevant United Nations agencies and other actors concerned, so as to evolve a common approach for Africa.

3. Organization of American States

24. The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and Explosives, and other Related Materials, which was signed by member States of the Organization of American States (OAS) in November 1997, entered into force in July 1998 with the requisite two ratifications. In article XVI of the Convention, on technical assistance, it is noted that State parties shall cooperate with each other and with relevant international organizations, as appropriate, so that States parties that so request receive the technical assistance necessary to enhance their ability to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials. In a resolution concerning the Inter-American Convention, adopted in June 1999, the General Assembly of OAS urged all member States that had not already done so to ratify the Convention without delay. As at July 1999, seven States, namely, Bahamas, Belize, Bolivia, Ecuador, El Salvador, Mexico and Peru, had ratified the Convention.

25. The Inter-American Drug Abuse Control Commission (CICAD) of OAS provides technical assistance and training to Governments that so request concerning its 1997 Model Regulations for the Control of the International Movement of Firearms, their Parts and Components and Ammunition.

Also, in June 1999, the General Assembly of OAS adopted a resolution on the proliferation of and illicit trafficking in small arms and light weapons, in which it requested CICAD to continue to provide assistance to OAS member States in order to facilitate compliance with the Inter-American Convention and the Model Regulations.

4. European Union

26. In June 1998, the Council of the European Union established the Programme for Combating and Preventing Illicit Trafficking in Conventional Arms. Within the framework of the Programme, the European Union and its member States have begun to develop dialogues with the Southern African Development Community (SADC) and its members with a view to addressing small arms proliferation and illicit arms trafficking. In early November 1998, a ministerial meeting of SADC and the European Union endorsed the Programme. In April 1999, the Executive Committee of SADC and the European Union proposed the establishment of a joint group on small arms. This suggestion will be discussed in November 1999 at the meeting of senior officials of SADC and the European Union. In the interim, consultations are continuing on ways and means to implement the southern African regional action programme on light arms and illicit arms trafficking, developed at a workshop of southern African and European Union officials and experts held near Pretoria in May 1998. To this end, a follow-up meeting of southern African and European Union representatives, experts and non-governmental organizations was to be convened at Johannesburg in September 1999, along with an informal meeting of relevant southern African and European Union governmental officials.

27. In December 1998, the Council of the European Union adopted a joint action on small arms, by which the European Union was committed to build a consensus in the relevant international forums, and in a regional context, for the realization of a number of principles, including assistance to countries requesting support for controlling or eliminating surplus small arms on their territory. Since December 1998, associate States of the European Union, States members of the European Free Trade Association and South Africa have aligned themselves with the principles and objectives of the joint action. The joint action provides, *inter alia*, for the provision of financial and technical assistance by the European Union to relevant programmes or projects conducted by the United Nations, the International Committee of the Red Cross, other international organizations and regional arrangements and non-governmental organizations. Thus, for example, assistance and support by the European Union and its member States for ECOWAS member States in the context of the Programme for Coordination and Assistance for Security and Development and the ECOWAS Moratorium, and for Albania in its efforts to collect and control small arms and light weapons within its territory, now takes place largely within the framework of the Joint Action of the European Union. Following a request in June 1999 from the Government of Cambodia for financial and technical assistance in controlling, collecting and destroying small arms and light weapons on Cambodian territory, the Council of the European Union dispatched a fact-finding mission to Cambodia, which took place in mid-July 1999. On the basis of the recommendations of the mission, the European Union is to consider specific proposals for assistance to Cambodia in September 1999.

28. In May 1999, the Council of the European Union recommended that, in the field of development cooperation, the Community and the member States should devote particular attention to a number of issues, including development cooperation support for countries seeking assistance in the control or elimination of surplus small arms, as well as other incentives to encourage the voluntary surrender of small arms and their destruction. The Council suggested that the first interventions could be focused on southern Africa and on West Africa, where significant progress had been made and frameworks for combating small arms proliferation have been developed and agreed. The Council noted that interventions by the European Union, the European Community and member States should build upon the ideas and programmes existing in those regions and be extended to other regions where similar initiatives have been taken.

Notes

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex III.

[2] An open-ended Group of Interested States on practical disarmament measures was established in March 1998, in pursuance of General Assembly resolution 52/38 G of 9 December 1997, entitled "Consolidation of peace through practical disarmament measures".

[3] Further information on the trust funds of the United Nations and the United Nations Development Programme can be found on the Internet at <http://www.un.org/Depts/dda/CAB/measure.htm>.